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## Governance for

The EU Artificial Intelligence Act



# Governance for the EU Artificial Intelligence Act



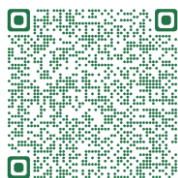
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**EU AI Act** - Audit | Advisory/Consultancy | Software Products  
+31 6 57285579 and +44(0)75 35994 132  
[s.musch@ai-and-partners.com](mailto:s.musch@ai-and-partners.com) and [m.borrelli@ai-and-partners.com](mailto:m.borrelli@ai-and-partners.com)  
<https://www.ai-and-partners.com/>  
[@AI\\_and\\_Partners](https://twitter.com/AI_and_Partners)  
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## Preface

### Operationalising AI: achieving realistic success

Today's business leaders increasingly seek to operationalise AI in their businesses to improve processes and production, bolster revenue, and reduce risks and costs. To remain competitive for the foreseeable future, **now is the time to act**.

Notwithstanding, there are hurdles in the way when capitalising on the opportunities offered by AI. One is the need to implement EU AI Act Governance in your businesses as shown in this handbook. Another is making arrangements for the development, deployment, use, distribution and importing of your AI. This hurdle prevents the majority from moving beyond the proof-of-concept stage. To emerge successfully, you must scale and accelerate multiple AI projects across your business; for this, you need assistance from an industry leading risk assessment AI platform.

To comply with the upcoming European Union artificial intelligence act and related guidelines, it is essential to provide that all functions of your business are well equipped for AI operationalisation. A key element here is EU AI Act governance, which centres around achieving regulatory superiority for AI, ensuring that your business is equipped to handle the new categories of risks associated deploying AI projects, these fall in the buckets of **Accountability, Independence** and **Transparency**.

At AI & Partners, we are working with practitioners from both the private and public sectors ensure their AI implementations are compliant with the EU AI Act.



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[s.musch@ai-and-partners.com](mailto:s.musch@ai-and-partners.com) and [m.borrelli@ai-and-partners.com](mailto:m.borrelli@ai-and-partners.com)  
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## Three Essential Pillars to Understand EU AI Act Governance

### 1. How to define EU AI Act Governance

#### The preliminary issues for defining the term

In most cases governance refers to the system and processes through which individuals, organizations, or institutions make and implement decisions, exercise authority, and manage resources. It involves the structures, rules, and practices that guide and regulate the actions and behaviour of individuals or groups in positions of authority or influence.

#### Aspects to account for defining EU AI Act governance:

##### Accountability

Be **accountable** to internal and external stakeholders in accordance with the EU AI Act

##### Independence

Act **independently** when carrying out tasks or exercising powers

##### Transparency

Ensure a high level of **transparency** concerning activities and develop good administrative practices in that regard



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[s.musch@ai-and-partners.com](mailto:s.musch@ai-and-partners.com) and [m.borrelli@ai-and-partners.com](mailto:m.borrelli@ai-and-partners.com)  
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## 2. Who should be accountable for EU AI Act Governance?

**It is imperative to assign accountability within the business, otherwise, EU AI Act Governance will fail**

The solution to who is accountable will differ based on a business's definition of EU AI Act Governance. No single person or function within a business is primarily accountable. It is imperative that EU AI Act Governance is operationalised and carried out throughout a business. The following are the functional roles that are important in the enforcement and continued evolution of a business's EU AI Act Governance.

### Functional Roles

**CDO:** Make sure the data is accurate and clean with no overweighting of certain aspects.

**CCO:** Determine whether the use of the data meets compliance obligations under the EU AI Act.

**CDO:** Collaborate to take a privacy-by-design approach and make information clear to users.

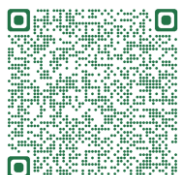
**CTO:** Design a dedicated instance for this use case so as to not inadvertently commingle data.

**L/GC:** Negotiate contractual assurances with the AI platform that system data will remain segregated.

**CISO:** provide adequate protections for it based on appropriate data classifications.

**IA:** Develop an audit risk assessment and plan around the proposed system and model.

**CRO:** Coordinate with the CCO to establish policies, training, testing and controls.



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## 3. How can EU AI Act Governance be achieved?

### Account for the relevant governance tasks

In order to be successful, you need to be able to identify the relevant tasks. Some tasks will become standard, either through practice or external market forces. However, regardless of how your business defines EU AI Act Governance and assigns responsibilities, certain tasks should be account for to support the strategic direction and how your business runs on a day-to-day basis.

#### Key Tasks

**Support** in terms of advising and cooperating with external and internal stakeholders with respect to the EU AI Act.

**Monitor** and ensure the effective and consistent application of the EU AI Act, without prejudice to other regulatory requirements.

**Collect** and share expertise best practices on EU AI Act compliance with a view to setting industry standards that can be observed by everyone.

**Examine** the questions relating to the implementation of the EU AI Act and review any opinions, recommendations or written contributions.

**Issue** company-wide disclosures that indicate accepted practices and processes under the EU AI Act.

**Assist** regulatory bodies in the operation of regulatory sandboxes when testing new or existing products/services prior to releasing to the market.

**Promote** company-wide awareness and understanding of the benefits, risks, safeguards and rights and obligations for interactions with AI systems.

**Provide** oversight and monitoring and operationalise regular communication with actors involved in the AI value chain.



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## Ask yourself these five questions

As it stands, we've provided you with the fundamentals for understanding EU AI Act Governance. Therefore, before progressing further:

### 1. Is your AI system safe, secure and trustworthy?

It goes without saying, if your business has an AI system in place, it needs to meet these criteria. Take note, there are a range of criteria to consider if there are to be no breaches of the EU AI Act. Check if you are not sure.

### 2. Who is accountable in your business?

This questions can be fairly complex given the reporting lines in place across different businesses. As such, accountability does not sit in a single position. Rather, this should be tackled more laterally across different roles, with this embedded in the EU AI Act Governance structure.

### 3. What key tasks should you consider?

There are multiple tasks that you should consider when understanding the different roles within your business, all contingent on how you interpret EU AI Act Governance. Take some time to consider which tasks suit your EU AI Act Governance needs first.

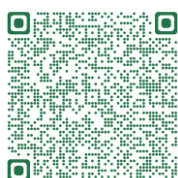
### 4. Do you have an EU AI Act Framework in place?

If the answer to this question is no, you should seriously consider designing and implementing a robust framework that dynamically assesses EU AI Act Governance for the full suite of AI systems.

### 5. Have your AI systems undergone third-party assurance?

AI systems are the target of regulatory scrutiny under the EU AI Act. Making sure that they are fit and proper, prior to deployment, represents a risk reduction measure to protect your business from regulatory backlash, and your consumers from incurring any harm(s).

**There are, of course, more questions to be answered as your EU AI Act journey continues. These are only intended to set you on your way as you embrace regulatory compliance in your daily business practices.**



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